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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,550	06/04/2001	Petter Ericson	64241	3128

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BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER

CHAWAN, SHEELA C

ART UNIT PAPER NUMBER

2625

DATE MAILED: 05/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/784,550 ✓

Applicant(s)

ERICSON ET AL.

Examiner

Sheela C. Chawan

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-27 is/are allowed.
- 6) ☒ Claim(s) 28-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's amendment filed on November 12 2004 has been entered and made of record.

Claims 1-32 are pending in the application.

In response to applicant's submission of Replacement Drawings and a copy of substitute specification, the objections are withdrawn.

***Response to Arguments***

2. Applicant's arguments, see pages 14-20 of the remarks, filed 11/12/04, with respect to rejection of claims 1-27 under 103(a) have been fully considered and are persuasive. The 103(a) rejection of claims 1-27 has been withdrawn.

Applicant's arguments see pages 11-13 of the remarks, filed 11/12/04, with respect to the rejection of claims 28-32 under 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Seybold (US 6,128,007).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 28-32 are rejected under 35 USC 102(e) as being anticipated by Seybold (US 6,128,007).

As to claim 28, Seybold disclose an input unit (in Figures 1-3, at least a tablet or trackpad 5 and touching a finger or stylus 8 to a surface of the tablet corresponds to an input unit) with at least a first (first mode or cursor mode; column 2, lines 25-30) and a second function mode (input mode; figures 5, 9 and 16; abstract), comprising a detector for capturing images (column 2 line 65 to column 3 line 6; digitizer or a tablet inherently provides a function of a detector which sends digitized image signals or coordinates of the position of the stylus on surface of the tablet to the computer 2 for processing) and an image processor (2, 12; column 3, lines 7-12) for processing the images to achieve said two function modes, wherein the input unit is arranged to change from the first to the second function mode (abstract; Figures 5-6; column 3 line 51 to column 4 line 23) when the image processor detects a first piece of predetermined information (at least predetermined action step 64 in figure 8 provides a first piece of predetermined action or information) in one of said images.

As to claim 29, Seybold discloses an input unit according to claim 28, wherein said first piece of predetermined information is a predetermined pattern (column 4 line 59 to column 5 line 3).

As to claim 30, Seybold discloses an input unit according to claim 28, which is arranged to change from the second function mode to the first function mode when it detects a second piece of predetermined information in one of said images (column 4 line 59 to column 5 line 3).

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As to claim 31, Seybold discloses an input unit according to claim 28, wherein said predetermined information consists of a position-coding pattern (column 4, lines 46-59; predetermined stylus movement pattern such as, for example, a triangular movement or a Greek symbols reds on position coding pattern).

As to claim 32, Seybold discloses an input unit according to claim 28, wherein the first function mode is a mouse function (at least CURSOR MODE in figure 5 corresponds to a mouse function mode) and the second function mode is an input function (at least in Figure 6 INPUT MODE is an input function mode).

***Allowable Subject Matter***


4. Claims 1-27 are allowed.

***Contact Information***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheela C Chawan whose telephone number is. 571-272-7446. The examiner can normally be reached on Monday - Friday 7.30 - 4.00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 571-272-7453 . The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
✓ Sheela Chawan  
Patent Examiner  
Group Art Unit 2625  
May 16, 2005